

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON

10 JOSEPH GANJE,

11 Plaintiff,

12 v.

13 CAROLYN W. COLVIN, Acting
14 Commissioner of the Social Security
15 Administration,

16 Defendant.

CASE NO. 2:15-CV-0074 JRC

ORDER DISMISSING CASE
PURSUANT TO FED. R. CIV. P.
4(m)

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, Dkt. 2; Consent to Proceed Before a United States Magistrate Judge, Dkt. 4).

Plaintiff was ordered to provide proof of service or show cause why this matter should not be dismissed for lack of prosecution by November 13, 2015 (Dkt. 7). Plaintiff was warned that failure to provide proof of service within this time period or show cause within this time period would result in an order dismissing this action (*id.*).

1 PROCEDURAL HISTORY

2 This case was filed in this Court on January 16, 2015 (Dkt. 1). An Affidavit of Service
3 (Dkt. 6) was filed on January 29, 2015 informing the Court that the Summons and Complaint had
4 been served, but only as to defendant, CAROLYN W. COLVIN, Acting Commissioner of the
5 Social Security Administration. A Notice of Appearance (Dkt. 5) on behalf of defendant was
6 filed on January 29, 2015. On October 23, 2015, this Court issued an Order to Show Cause why
7 this matter should not be dismissed (Dkt. 7). Plaintiff was ordered to show cause by November
8 13, 2015 why this matter should not be dismissed. As of this date, plaintiff has provided the
9 Court with no information.

10 STANDARD

11 Fed. R. Civ. P. 4(m) requires the court to provide notice to plaintiff before the matter may
12 be dismissed for lack of prosecution. This notice has been provided (*see* Dkt. 7).

13 CONCLUSION

14 Plaintiff has failed to provide proof of service or show cause why this matter should not
15 be dismissed for lack of prosecution. The Court hereby ORDERS that pursuant to Fed. R. Civ.
16 P. 4(m) this matter is dismissed without prejudice.

17 Dated this 3rd day of December, 2015.

18 

19 J. Richard Creatura
20 United States Magistrate Judge
21
22
23
24